| 1 2 3 4 5 | MICHAEL J. BETTINGER (BAR NO. 122196) PRESTON GATES & ELLIS LLP 55 Second Street, Suite 1700 San Francisco, CA 94105 Phone: (415) 882-8200 Fax: (415) 882-8220 Attorneys for Defendant MICROSOFT CORPORATION | ROBERT F. MCCAULEY (BAR NO. 162056) FINNEGAN HENDERSON FARABOW GARRETT & DUNNER, LLP Stanford Research Park 3300 Hillview Avenue Palo Alto, CA 94304 Phone: (650) 849-6600 Fax: (650) 849-6666 |
|-------------------------------|---|---|
| 67 | STATES DISTRICT CO. | TELESHUTTLE TECHNOLOGIES, LLC TELESHUTTLE CORPORATION, and BTG INTERNATIONAL, INC. |
| 8 9 10 11 | IT IS SO ORDERED Judge James Ware | D. PETER HARVEY (BAR No.55712) HARVEY SISKIND LLP Four Embarcadero Center, 39th Floor San Francisco, CA 94111 Phone: (415) 354-0100 Fax: (415) 391-7124 Attorneys for Plaintiff |
| 12 13 | DISTRICT OF CON | TWINTECH E.U., LIMITED LIABILITY COMPANY |
| 14 | OIS TRIC ! | |
| 15 | UNITED STATES DISTRICT COURT | |
| 16 | NORTHERN DISTRICT OF CALIFORNIA | |
| 17 | SAN JOSE DIVISION | |
| 18 | | |
| 19 | TWINTECH E.U., LIMITED LIABILITY COMPANY, TELESHUTTLE | Case No.: C04-2927 JW |
| 20 | TECHNOLOGIES, LLC, TELESHUTTLE CORPORATION, and BTG | STIPULATION AND [PROPOSED] ORDER DISMISSING WITH |
| 21 | INTERNATIONAL INC., | PREJUDICE THIS ACTION AND ITS CLAIMS, PURSUANT TO RULE 41 OF |
| 22 | Plaintiffs, counter-defendants | THE FEDERAL RULES OF CIVIL PROCEDURE (MICROSOFT) |
| 23 | v. | |
| 24 | MICROSOFT CORPORATION, | |
| 25 | | |
| 26 | Defendant, counterclaimant. | |

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| 1 | Pursuant to Rule 41 of the Federal Rules of Civil Procedure, all parties who have appeared in | |
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| 2 | this action hereby stipulate to the dismissal with prejudice of this action and all of the claims and | |
| 3 | counterclaims asserted in this action (including any claims asserted in this action by TwinTech E.U., | |
| 4 | Limited Liability Company and any claims previously asserted in this action by Plaintiffs Teleshuttle | |
| 5 | Technologies, LLC, Teleshuttle Corporation, and BTG International Inc. (hereafter, referred to as | |
| 6 | the "Teleshuttle Plaintiffs") against Microsoft Corporation, and any counterclaims asserted in this | |
| 7 | action by Microsoft Corporation against TwinTech E.U., Limited Liability Company and the | |
| 8 | Teleshuttle Plaintiffs). Each party who has appeared in this action shall bear its own costs and fees | |
| 9 | incurred in connection with this action and its claims. | |
| 10 | DATED N. 1 21 2006 | |
| 11 | DATED: March 31, 2006 | PRESTON GATES & ELLIS LLP |
| 12 | | By /s/ |
| 13 | | Michael J. Bettinger Attorneys for Defendant and Counterclaimant MICROSOFT CORPORATION |
| 14 | DATED: March 31, 2006 | Finnegan, Henderson, Farabow, Garrett& |
| 15 | | DUNNER, LLP |
| 16 | | By/s/ |
| 17 | | Robert F. McCauley Attorneys for Plaintiffs |
| 18 | | TELESHUTTLE TECHNOLOGIES, LLC, TELESHUTTLE CORPORATION, and BTG |
| 19 | | INTERNATIONAL, INC. |
| 20 | DATED: March 31, 2006 | HARVEY SISKIND LLP |
| 21 | | By/s/ |
| 22 | | D. Peter Harvey Attorneys for Plaintiff |
| 23 | | TwinTech E.U., Limited Liability Company |
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ORDER

Now therefore, in light of the foregoing stipulation of all parties to this action and Rule 41 of the Federal Rules of Civil Procedure, IT IS HEREBY ORDERED AS FOLLOWS:

- 1. All claims and counterclaims asserted in this action (including any claims asserted in this action by TwinTech E.U., Limited Liability Company and any claims previously asserted in this action by Plaintiffs Teleshuttle Technologies, LLC, Teleshuttle Corporation, and BTG International Inc. (hereafter, referred to as the "Teleshuttle Plaintiffs") against Microsoft Corporation, and any counterclaims asserted in this action by Microsoft Corporation against TwinTech E.U., Limited Liability Company and the Teleshuttle Plaintiffs) are dismissed with prejudice.
- 2. Each party who has appeared in this action shall bear its own costs and £es incurred in connection with this action and its claims.
 - 3. This action is dismissed with prejudice.

Dated: APRIL 7, 2006

Inited States District Judge

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Michael J. Bettinger, hereby declare under penalty of perjury under the laws of the United States that D. Peter Harvey, counsel for TwinTech E.U., Limited Liability Company, and Robert F. McCauley, counsel for Teleshuttle Technologies, LLC, Teleshuttle Corporation, and BTG International, Inc., concurred in the filing of this Stipulation And [Proposed] Order Dismissing With Prejudice This Action And Its Claims, Pursuant To Rule 41 Of The Federal Rules Of Civil Procedure.

Executed March 31, 2006 in San Francisco, California.

/s/ Michael J. Bettinger